

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

AES-APEX EMPLOYER SERVICES, INC.,
and AES-APEX EMPLOYER SOLUTIONS, INC.,

Plaintiffs,

v.

CASE NO: 13-CV-14519-DT

DINO ROTONDO, RICHARD MARK, and
UNITED STATES, DEPARTMENT OF
TREASURY – INTERNAL REVENUE SERVICE,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION**

This matter is before the court on on Plaintiffs' Motion for Sanctions and/or to Tax Costs and Attorney Fees against Intervening Party Akouri Investments, LLC [106]. The case was referred to United States Magistrate Judge David R. Grand pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. The magistrate judge issued his report on May 27, 2016, recommending that this court deny Plaintiff's Motion for Sanctions and/or to Tax Costs and Attorney Fees. No objections have been filed pursuant to 28 U.S.C. §636(b)(1)(C), thus further appeal rights are waived.¹

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Having reviewed the file and the Report, the court concludes that the findings and conclusions of the Magistrate Judge are correct and ADOPTS the same for purposes of this Order.

ORDER

IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the Plaintiffs' Motion for Sanctions, Costs and Attorney Fees is **DENIED**.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 30, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 30, 2016, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522